

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN RE:)	Chapter 11
)	
William Edward Julien,)	Case No. BK10-82442
)	
)	
)	
Debtor.)	
_____)	

MOTION TO DISMISS CASE

COMES NOW the United States Trustee for the District of Nebraska and hereby moves dismiss the above-referenced chapter 11 case. In support of this Motion, the United States Trustee respectfully states as follows:

1. On August 23, 2010, the debtor filed a voluntary chapter 11 petition. The required schedules and statements were not filed with the voluntary petition.

2. Pursuant to 11 U.S.C. § 521(a)(1) and Fed. R. Bank. Proc. 1007(b)(1), the debtor is required to file a schedule of assets and liabilities and a statement of financial affairs. The deadline for submission of these documents was 14 days after the filing of the bankruptcy petition. See Fed. R. Bank. Proc. 1007(c).

3. The required schedules and statements were due on September 6, 2010 and the required schedules and statements have not been filed as of this date.

4. 11 U.S.C. § 1112(e) provides that the Court on request of the United States Trustee may convert a case under this chapter to a case under chapter 7 or may dismiss a case, whichever is in the best interests of creditors and the estate if the debtor fails to file, within 15 days after the filing of the petition, the schedules and

statements required to be filed by paragraph (1) of section 521.

5. As the required schedules and statements have not been filed by the required deadline, the Court should dismiss this case.

WHEREFORE, the United States Trustee respectfully requests the Court to enter an order dismissing the case.

DATED this 28th day of September, 2010.

Respectfully Submitted:

UNITED STATES TRUSTEE
Nancy J. Gargula

ASSISTANT U.S. TRUSTEE
Patricia D. Fahey

BY: /s Jerry L. Jensen
Jerry L. Jensen
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CERTIFICATE OF SERVICE

I hereby certify that I filed the above and foregoing with the Clerk of the Bankruptcy Court on September 28, 2010 using the CM/ECF system which sent notification to all CM/ECF participants.

/s Jerry L. Jensen